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FEB 11 2005

**To: Examiner: Dalzid E. Singh
Group Art Unit: 2633
Confirmation No.: 1297**

From: John S. Sensny, Esq.

Fax: 703-872-9306

Pages: 24 (Including fax cover sheet)

Phone:

Date: February 11, 2005

**Re: Applicants: Casimer M. DeCusatis, et al.
Serial No.: 09/964,190
Filed: September 26, 2001
For: "WAVELENGTH MODULATION FOR
OPTICAL BASED SWITCHING AND ROUTING"
Docket: FIS920010143US1 (14581)
JSS:jy**

CC

AMENDMENT UNDER 37 C.F.R. §1.111

TRANSMITTED HEREWITH:

1. Amendment Transmittal Letter (in duplicate);
2. Amendment under 37 C.F.R. §1.111;
3. Authorization to charge IBM Deposit Account No. 09-0458/IBM in the amount of \$200 for the extra independent claim fee; and
4. Certificate of Facsimile Transmission, dated February 11, 2005 (in duplicate).

FOR:

Applicants: Casimer M. DeCusatis, et al.
Serial No.: 09/964,190
Filed: September 26, 2001
For: "WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING"
Docket: FIS920010143US1 (14581)

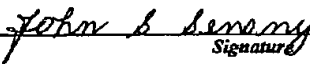
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Casimer M. DeCusatis, et al.			FIS920010143US1 (14581)
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dabid E. Singh	Group Art Unit 2633
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING			
RECEIVED CENTRAL FAX CENTER FEB 11 2005			
I hereby certify that this <u>AMENDMENT UNDER 37 C.F.R. §1.111</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>) on <u>February 11, 2005</u> (Date) <div style="text-align: right;"><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate) <u>John S. Sensny</u> (Signature)</div>			
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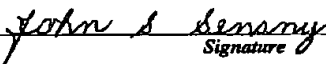
P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No.	
Applicant(s): Casimer M. DeCusatis, et al.				FIS9200101043US1 (14581)	
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING					
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COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	20 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	7 -	6 =	1	x \$200.00	\$200.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$200.00
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0458/IBM in the amount of \$200.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM <div style="margin-left: 20px;"><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</div><input type="checkbox"/> Payment by credit card. Form PTO-2038.</div><div>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</div></div>					
<div style="display: flex; align-items: center;"><div style="text-align: center; margin-right: 20px;"> Signature</div><div style="text-align: right;">Dated: February 11, 2005</div></div>					
John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="text-align: center;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence</div>		
cc: JSS:jy					

P11LARGE/REV09

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Casimer M. DeCusatis, et al.			FIS920010143US1 (14581)
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Group Art Unit 2633
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING			
RECEIVED CENTRAL FAX CENTER FEB 11 2005			
<p>I hereby certify that this <u>AMENDMENT UNDER 37 C.F.R. §1.111</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>)</p> <p>on <u>February 11, 2005</u> (Date)</p> <p style="text-align: right;"><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"><u>John S. Sensny</u> (Signature)</p>			
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P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. FIS9200101043US1 (14581)	
Applicant(s): Casimer M. DeCusatis, et al.						
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzd E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297	
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING						
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<u>COMMISSIONER FOR PATENTS:</u>					FEB 11 2005	
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	20 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	7 -	6 =	1	x \$200.00	\$200.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$200.00	
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0458/IBM in the amount of \$200.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: February 11, 2005 <div style="border: 1px solid black; padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)1a] </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> _____ (Date) </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> _____ Signature of Person Mailing Correspondence </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> _____ Typed or Printed Name of Person Mailing Correspondence </div>			
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P11LARGE/REV08

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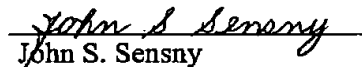
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** Casimer M. DeCusatis, et al.**Docket:** FIS920010143US1(14581)**Serial No.:** 09/964,190**Examiner:** Dalzid E. Singh**Filed:** September 26, 2001**Group Art:** 2633**For:** WAVELENGTH MODULATION FOR
OPTICAL BASED SWITCHING AND ROUTING**Dated:** February 11, 2005**Confirmation No.:** 1297Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT UNDER 37 C.F.R. §1.111**

Sir:

In response to the Office Action dated November 17, 2004, please amend the
subject patent application as follows.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and
Trademark Office on the date shown below.

Dated: February 11, 2005
John S. Sensny

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